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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| Art Unit | : 1635 | **Customer No.: 035811** |
| Examiner | : Jane J. Zara | |
| Serial No. | : 10/679,561 | |
| Filed | : October 6, 2003 | |
| Inventors | : Usha Kasid | Docket No.: 224381 |
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| | : Howard Boudreau | |
| | : Imran Ahmad | |
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| | : Aquilur Rahman | Confirmation No.: 5256 |
| Title | : GENE BRCC-3 AND DIAGNOSTIC | |
| | : AND THERAPEUTIC USES THEREOF | |
| | | Dated: June 21, 2006 |

**RESPONSE**

**Mail Stop Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Official Action dated April 21, 2006. Per the petition and fee submitted herewith, the Applicants hereby claim a one-month extension of time for responding, to June 21, 2006.

The Applicants hereby elect Group I (Claims 1-12, 23 and 24) with traverse.

**Remarks**

The claims of Group I (claims 1-12, 23 and 24) have been elected for further prosecution, with traverse. Based on this election, and as discussed below, the Applicants believe that the claims of Groups I-VIII should be examined together.

Restriction of claims is proper only if the inventions are independent or distinct, and the search of the claims would impose a serious burden on the Examiner. If the search can be made without serious burden, then the claims must be examined together even though they may define independent or distinct inventions. MPEP 803.

The Restriction Requirement alleges that the nucleic acids (and host cells and vectors made with them), polypeptides, epitopes and antibodies recited respectively in Groups I, II, III and IV are unrelated because they "have substantially different physical, chemical and functional